

**Summary of Natural Resources Advisory Council Delegation's Public Meeting
Regarding Trout Fishing on the Brookville Tailwaters**

Public Meeting Location: Brookville, Indiana

Date: October 8, 2009

Patrick Early, Chair of the Natural Resources Advisory Council, introduced himself and allowed the other delegates, Bill Freeman, Advisory Council member from Brown County, Chris Smith, Legislative Liaison for the Department of Natural Resources, and Sandra Jensen, Administrative Law Judge for the Natural Resources Commission, to do the same. Smith noted that he was filling in for John Davis, Department of Natural Resources Deputy Director.

Early explained that on September 14, 2009 an Advisory Council meeting was held in Indianapolis to discuss trout fishing on the Brookville Tailwaters. That meeting was the fourth meeting in a series of public meetings to consider suggested fish and wildlife rule changes received from the public. Over 1,000 suggestions were received through a three to four month period and the commitment was to "look at every single suggestion that was made and at least discuss it...that is all that is going on in this process. I want to make it clear to all of you that there are no proposed changes to any regulations..." Early clarified that the Council is simply offering an opportunity for people to be heard about the suggestions that were received. "All we're doing is listening to opinion and how things effect people and whether or not they think these are good changes or not good changes."

Early noted that this topic was so specific to Brookville that the meetings associated with it should have been scheduled in Brookville from the very beginning. However, out of concern for the convenience of the Advisory Council members who are volunteers and who travel from all over the State, including the Northwest and Southwest corners, the meetings are typically held in Indianapolis.

Early emphasized that until the Advisory Council hears all of the comments about all of the received suggestions and "we weigh everything, both the pros and cons of what we heard and ...certainly the opinion of the people who live in the community is very important in that process", there won't be any recommendations made regarding changes to any of the fish and wildlife rules. If the Advisory Council recommends that changes be made, those recommendations would be made to the Natural Resources Commission. If the Commission decides to go forward with the recommendations, there would be the opportunity for more public hearings and more opportunity for public input, before a new rule could be adopted.

Early then opened the floor for comments.

James Suhre, Franklin County, IN

Suhre stated that he is probably the person who discovered all of this and provided a brief review of the September 14th Advisory Council Meeting. Suhre explained that he learned of the September 14th meeting while researching the boulder project that was proposed by Trout Unlimited for the East Fork. According to Suhre they were opposed to the boulder project but through the course of trying to stop the boulders they discovered a letter writing campaign from the Trout Unlimited organization stating that the Natural Resources Advisory Council was taking comments and asking members to write a letter. Suhre stated that Trout Unlimited suggested one of three letter templates that were available on their website message board. All three of the letters were to outlaw bait fishing...artificial only, catch and release only from the 101 bridge to the 52 bridge on the East Fork.

Suhre explained that they thought the suggested fishing restrictions would be of interest to the people of Brookville so when the Canoe fest organization had its meeting about the boulders, more than half the people present were there for the fishing. Polls revealed unanimous opposition to the suggested rule changes. According to Suhre, it was clear that Trout Unlimited and other fly fishing groups from outside Franklin County were behind the suggestions and no member of these organizations could be identified as being from Franklin County.

When Suhre brought it up that Central Indiana Trout Unlimited was lobbying for these controls he said he was told that it was actually the Department of Natural Resources who was considering the changes. Since that time, Suhre said, it has been discovered on the DNR's website from 2003 stating that from the beginning of Trout Unlimited's involvement and brown trout stocking in 2001, Trout Unlimited has lobbied for these changes and the DNR has denied them and "has actually been holding the line on these kinds of things."

Suhre observed that since September 14th the situation has not gone very well. The conversations on the message board of Trout Unlimited have been "outrageous" to the extent that my wife and others have said that they will only respond in measured and factual ways. There are disputing surveys on whether catch and release is correct and you can sling these surveys back and forth. Whether it is germane or not to have Canoe fest be accused of taking money from non-profits, to have Canoe fest be accused of littering the river, the question was asked when is Canoe fest ever going to give back to this community? When constantly on this message board and also through the comments of members of Central Indiana Trout Unlimited, including an article in the Indy Star, you would think this community was full of "litterbugs" and people who are completely oblivious to conservation or ecology or anything. Suhre stated, "We've been called selfish and irresponsible, all for saying that we would like for fishing to continue as it is now where everyone gets to fish and everyone gets to use the river. I think, as memory serves to a person on September 14th, every person who attended from Brookville said let everyone fish."

Suhre stated that we were told in reply that we were uncompromising and the other alternative was posed as a compromise meaning we would get to bait fish north of 101

and south of 52. Since that time Suhre noted that he has participated in a clean up of the Army Corps property and walked the East Fork north of State Road 101 and observed that the entire banks are rip rap. Some exposed and some covered with grass...it is extremely hard walking. Others with the expertise to know say it's dangerous to fish up by the dam...it's the fastest flow and the deepest water. Suhre also noted that the second most dangerous place is where they say we can fish and that is south of the State Road 52 bridge, down by the West Fork. Anyone around here knows that the West Fork is and always has been the more dangerous of the two rivers. That is no compromise, whatsoever.

Suhre stated that catch and release as a method is not an authoritative point as it has been presented. Suhre passed out a document entitled "*Catch and Release: The Jury is Out*", which includes a statement from the Minnesota DNR Information Office that states "the angler who catches and releases many fish may kill more than the angler who simply harvests a few for supper..." Suhre noted further in the document an excerpt from the Norwegian Council for Animal Ethics, that says, "catch and release concept is a breach of the Norwegian fishing tradition. It turns fishing into a pure sport or entertainment, disengaged from it's original purpose, that of procuring food."

Suhre stated that he discovered in researching this issue that brown trout are considered an invasive species. He reported from the National Park Service, Shenandoah National Park website that "brown trout are large, non-native and dominant predatory fish; they are a threat to native fish population, particularly within the confines of small, mountain stream habitats." Suhre noted further an article from Columbia University that reports California's attempt to eliminate brown trout while conserving native California golden trout and Australia's limit on the amount of brown trout introduced into rivers and lakes as methods of controlling brown trout populations.

Suhre posed to the Advisory Council the position that the brown trout are harmful to the native fish in the river. Suhre stated, "I would like to call now for the entire reconsideration of the stocking of brown trout in the East Fork. The rainbow trout, by all accounts, are more docile and do not have the negative effects that the brown trout have. Suhre requested that the brown trout stocking in the East Fork be discontinued.

Representative Bischoff

Rep. Bischoff thanked each and every member of the audience for coming out on a rainy evening here to be present on a very controversial issue in the city of Brookville and Franklin County. Rep. Bischoff thanked the Advisory Council delegation for holding the meeting in Brookville. He explained that this is a very emotional issue that has a huge impact on the quality of life for the people in Brookville. \

He explained that around the 20th of August, Jim Suhre called and asked whether he was aware that there were plans to put boulders in the East Fork of the Whitewater River. In response, he stated that he immediately contacted John Davis, Deputy Director of the DNR. According to Rep. Bischoff, Davis also told him there would be a meeting in

Indianapolis on September 14th. On September 14th there were several members of Trout Unlimited present who had the opportunity to present their side of the issue.

Rep. Bischoff recollected that there was a bus that brought people from Brookville to Indianapolis for that meeting. “There was talk about compromise. There’s no compromise when there is nothing wrong.” He explained that citizens of Brookville Franklin County have fished the East Fork of the Whitewater River for “years and years and years. Why would you want to take that away from the people here in this geographical area and yield to another group of people who want to come in and take over your turf?”

Rep. Bischoff stated that the first issue addressed at the September 14, 2009 meeting in Indianapolis was the issue of placing boulders into the East Fork of Whitewater River. He observed that the boulders would have had a huge impact upon Canoe fest, which has become a great function here in Brookville. Rep. Bischoff reported that it was announced that the proposal to place the boulders had been withdrawn. He stated that the second issue involved the proposal to limit a portion of the Tailwaters to fly-fishing only or catch and release only or artificial bait only. He said, “I can inform each and every one of you that that is unacceptable.”

Rep. Bischoff stated that the Natural Resources Summer Study Committee met on Monday and Tuesday of this week in Southeast Indiana. We discussed programs and projects and what we want to do and it came to my attention that with the economics of this country that there are so many people out there that need food. He reported about a program we have that costs \$5.00 that goes to all the butchers who can process the excess numbers of deer killed so the venison can get to the people who need it. The message he was conveying is that the East Fork of the Whitewater River for many years has provided a lot of food for the people in this geographical area. “We do not want that changed.”

“Again, I can assure you that I am 100% behind you.” Rep. Bischoff stated that he knew the Advisory Council’s delegation members and has worked with them. He stated his confidence that they will use very good judgment and “I can almost assure that this issue will be and should be put to rest.”

Rep. Bischoff closed by addressing Early and Freeman asking them to take the message back to the Council and Commission that “this is a treasure for the people of this area and they’re very reluctant to have any change whatsoever.”

Rick Schroeder, Central Indiana Trout Unlimited

Schroeder stated that he would like to clear up one thing about Trout Unlimited’s discussion board that comes up from time to time. It is completely uncensored, it’s not monitored in any way, and Trout Unlimited does not control what you say on there. Schroeder noted that he doesn’t approve of a lot of what is said on there but wanted everyone to understand that it’s uncensored and unfiltered information for everybody to talk about this issue. Schroeder explained that he was under pressure from the board and

recently from other posters on that message board to shut it down. Trout Unlimited did not shut it down. It continues to be a message board for the discussion of this issue if you choose to use it.

Schroeder acknowledged that Brookville doesn't like the brown trout right now... but noted that Brookville is attracting people from 33 different Indiana cities, 11 Ohio cities, six in Kentucky, one in Wyoming, one in Illinois and one in Massachusetts. He noted that tourism that is coming to you from not only outside the State but inside the State. Schroeder observed that the tourism is bringing money into Brookville, bringing money into the State of Indiana in the way of trout stamps, license fees and plus the money they spend here, maybe at a hotel or campground.

Eldon Crabtree, Indiana Bass Federation

Crabtree introduced himself as a Past President and Conservation Director for the Indiana Bass Federation. He said, "This is not about trout fishing". Our organization stands for conservation, environmental issues, charity, youths and bass tournaments last of all. Crabtree said the Bass Federation does a tremendous amount of work for Indiana's Children's Wish, raising \$135,000.00 for them, and over \$100,000.00 for Riley Hospital, plus hospice, cancer research, and other organizations including assistance to returning soldier and the families of fallen soldiers.

Crabtree's major concern is not brown trout, rainbow trout or anything like that. As this gentleman from Trout Unlimited just spoke, if those kinds of numbers are coming from all over our state and surrounding states and Wyoming.... "Why do we want to fix something that's not broke?"

Crabtree stated that he walked the Tailwater today. The majority of it is in the Brookville Park, a park that local taxpayers paid the bill for and maintains. He observed that young people are not going to use artificial bait with barb-less hooks.

Crabtree stated that the Bass Federation is behind those who oppose the suggested restrictions. My successor, Woody Woodcock, and a board member, Kenny Bortlein, are here. The Bass Federation has got over 1,800 members, whose whole concern is that Indiana has so many fishermen and so little water. We're not Minnesota; we're not Wisconsin or Kentucky, Tennessee or Alabama. We're going to support you.

Kenneth Murphy, Brookville, IN

Murphy stated that his family owns about five acres of river front property. He explained that he was raised fishing on the river. He observed that the proposals that have been presented are probably contrary to the very tenants of the Department of Natural Resources, promoting youth fishing and fishing that Eldon Crabtree talked about.

He expressed his appreciation for Trout Unlimited coming to visit our community and spending their money. We appreciate the visitors just as long as they don't forget that

they are visitors. “We live here and we pay the taxes. My family pays \$2,500.00 a year property taxes on that river front property to have someone come in and basically tell me I can’t fish the way I have all my life is a pretty tough pill to swallow.”

Michael Day and his Son, Cooper, Brookville, IN

Day stated that Cooper is six years old and he doesn’t know how to fish with a fly rod. He explained that Cooper fishes with worms. He noted that if they want more trout they should stock double. He noted that Early had stated the importance of having more access to fishing and observed that the proposals would provide less access. We own the water as a taxpayer in Indiana. That water should never be closed or regulated except as to size limits and bag limits.

Rene Stivers, Brookville, IN

Stivers spoke on behalf of the Brookville Town Council, saying “we would like the River left the way it is now. We would like fishing left the way it is.” We have a beautiful park and we’d like to have it open to all types of fishing.

Haroline Ison, Brookville, IN

Ison observed that the town park has a lot of memories. She said that her kids fished there and her grandkids fish there now. Furthermore she expressed her opinion that the proposed restrictions could not be adopted for the reason the up and down that River is private property and out to the center of that River is those people’s property lines. According to Ison the owners have granted a privilege that they can take away through trespass.

Jerry Harnishfeger, Brookville, IN

Harnishfeger noted that Schroeder talked about people coming from other states to fish. He compared 10,000 people that come for Canoe fest versus 30 or 40 people from Trout Unlimited. He also noted that when they come, they bring their bait, they bring their tackle, they’re all gassed up and they go home without spending anything.

Derrick Filkens, Indianapolis, IN

Filkens explained that he runs a fly fishing shop in Indianapolis called Flymasters. He expressed his support for changing the regulations while acknowledging that that most of the people in attendance are not. Filkens explained that he grew up just north of Branson, Missouri, noting that most people would know where that was and that it was the birthplace of Bass Pro Shops. Filkens disclosed that part of the location where Bass Pro is located used to be a family gas station his father owned. He observed that fishing is impacting my family significantly.

He noted that the one thing that drew people to Branson was the fishing. And if you look at Branson now it's an enormous place that is greatly profitable for all the people who live there.

According to Filkens, Flymasters is in its 20th year of business and this past year put out a magazine with a picture of a 24" rainbow trout caught at Brookville. Filkens noted that the magazine went out to 4,000 people in Indiana and those people call the store every day asking about the fishing at Brookville. His customers want to know what the water's like and whether the fishing is any good, etc. He explained that he tells them the truth because it's his reputation. He observed that Flymasters is a referral source for your community and your businesses. Flymasters also profits because we do sell a variety of lures and flies that people come down here to use.

Filkens stated that in the United States, fishing is the fourth most popular sport. The first is walking, the second is swimming and the third is camping. Franklin County has two of those things.... camping and fishing. There is a valuable resource that you can use to draw people to this place for. When people see a picture of a 24" Rainbow Trout they want to go to that place and catch that fish. The problem is that you don't catch those fish in areas where people can keep the fish all the time. Filkens observed that those fish grow because they are put back after they are caught or they grow because they're smart enough to have never been caught.

Filkens noted that the economic impact from having a catch and release area in any community is significant. You cannot find a study anywhere that says a catch and release has negatively impacted a community. It is always a plus for the community. I don't know any community in the United States that do not want more money coming into their community. All businesses are working harder to make the same money they made three or four years ago.

Filkens expressed his support for the catch and release but also his support for the State of Indiana and all the counties between here and Indianapolis because people drive from there, and from Louisville, Cincinnati, and Columbus, to here and spend money in all those counties in between. Filkens stated that these suggestions will probably not be proposed as a rule change because of all the opposition but stated that at some point down the road if Brookville wants its economy to improve it should consider changing some of these regulations. Filkens stated that before I came to Brookville to fish for trout I never came to this area and most people in Indianapolis don't know where Brookville is at.

Patty Scott, Brookville, IN

Scott stated that she walks the town park twice a day with her dog, once in the morning and once in the evening. She said that she sees fishermen down in the park and has asked several of them who have out of State and out of town license plates where they purchased their gas..."it wasn't in Brookville". She's asked where they were purchasing their food and they say it's at home in their hometown. She said that one man told her he bought a cheeseburger at McDonalds and paid thirty five cents at the vending machine.

“A buck fifty is not economic growth.” She also observed that as far as those who don’t know where Brookville is at, “tell that to the 300,000 people who were just at canal days last weekend.”

Marci Bockman, Brookville, IN

Bockman stated that she is originally from Indianapolis. Forty years ago we started coming down here with our children, camping and canoeing and fishing. We always hoped that maybe one day we would retire and move to Brookville...and we did. She explained that now her children, her grandchildren and her great grandchildren visit all summer and winter. “They swim, they play and they fish and I thank God for it.”

James Hundley, Brookville, IN

Hundley stated that Brookville Lake was put in when I was ten years old. He expressed his opinion that people don’t come to Brookville just to catch trout noting that people have been fishing in Brookville for many years before they started stocking trout in 2001. He stated that he doesn’t think the trout fishing is helping the community.

He recounted a recent write up in the local paper about how some people from Trout Unlimited came down. The article said they were here on a Monday and he was working at 52 Pick-Up on that day. He explained that they all bought a \$9.00 one-day fishing license, and they had a guide, not a local guide, that they paid several hundred dollars for. They claimed in the article that they each paid \$50.00 at 52 Pick-Up but Hundley disputed that saying that they bought their licenses and a bottle of water each.

Tom Tiller, Union County, IN

Tiller expressed his view that this is an attempt by a few people to get rules bent so they can gain control of public access, public resources, and to have the DNR pay for it. He stated his opinion that this kind of selfish manipulation of the DNR rules and resources goes on right now. As an example he explained that at Dunlapsville, the DNR pays to plant a big field of sunflowers that are used to bait Doves. The DNR carefully limits the number of hunters that use that field for hunting. So the DNR pays for planting a crop to bait a migratory bird and then pays conservation officers to enforce these rules.

“People need to see that for what it is.”

Ed Baker, Franklin County, IN

Baker stated that he is a fisherman who has caught a lot of trout out of the East Fork. He uses bait, ultra light tackle and purchases most of it around Brookville. He explained that he has fished in Colorado, Canada, Wisconsin, Minnesota, Tennessee, Florida and Georgia and never had the audacity to tell them that they needed to change their rules. Baker explained that he fished with their rules, with their licenses and he purchased his bait from that area.

Baker also observed that he fished the East Fork for many years before the Brown Trout were released and “the fishing was just as good then as it is today.”

Carol Sni¹, Franklin County, IN

I moved back here in 2004 from Arizona. I’ve seen what can happen to good trout streams by playing around with them. I was a guide in Arizona part time and I’ve done a lot of trout fishing all over the United States.

I used to fish the Colorado River in the Grand Canyon. In the later ‘60’s and early ‘70’s it was nothing to get a 10, 12, 14 pound rainbow out of there. But then the federal took it over, started playing around with it and it’s nothing like it used to be. Just like the East Fork there’s no reason....I have nothing against Trout Unlimited and the fly fishermen.... there’s no reason why we can’t all fish together. This stream is not going to produce trout. If they want more trout stock more.

Margaret Fain, Brookville, IN

Fain acknowledged that she does not fish but even though I don’t fish, I want others to be able to. She also responded to Filkens inference that Brookville is not encouraging economic development. She noted that Brookville has a canal trail that is being diligently worked on to increase walking. Brookville has access to our River being increased with Tecumseh’s Landing, Brookville has everything.

In conclusion she expressed her opposition to the regulations that have been suggested and her opinion that it is not fair to let a special interest group control any part of the River that belongs to everyone.

Carmen Precht, Brookville, IN

Precht advised that she has lived in Brookville for 35 – 38 years. She said she’s seen all these changes but has never put a hook in the River. All we’re hearing about is fish but that she said that River is shared by other wildlife. She observed that there are water fowl you would not believe but when the fishermen are there you don’t see the geese and ducks. She said, “I’m here tonight to speak for the geese and the ducks.”

Additionally, she noted that once the government makes one change there will be one more change after the last until the local area loses all control.

Drew Wilson, Franklin County, IN

¹ This individual’s name may be incorrectly recorded. The speaker did provide his full name during his verbal comments but the digitally recorded audio is not completely clear. A search of the sign-in sheet does not provide any assistance in confirming the name.

Wilson stated that his dad raised him fishing in the River and that's where he caught his first Walleye, which was 14 inches and was caught off the top of the spillway. He noted that he has always fished with live bait and is not interested in using lures. He said, "Let us fish in peace."

John Helton, Brookville, IN

Helton advised that he has fished the River for 14 – 16 years for trout. He has always caught trout, catfish and other fish and would take 10 – 14 fish for dinners at work. He said everybody would get together and bring what you want. We loved the dinners and getting together and sharing what we've got.

Tom Hertel, Brookville, IN

Helton explained that he grew up about 2 blocks from the Whitewater River before there was a dam in Brookville. He noted that the city park used to be the city dump before Franklin County took over and observed that there has been a lot of clean up down there. People have dedicated trees and stuff and if you read the plaques you'll see the names of people who worked hard in Franklin County to have a nice park. Helton stated that he's been fishing since 1956 and said that to have someone tell him he can't go down there and fish with live bait just "rubs me the wrong way."

Ken Saxon, Franklin County, IN

Saxon advised the Council's delegation that they were experiencing the support of the Brookville community, noting that it is support that goes back many years. He provided that in the early '80s the city park was a dump and that in 1983 the Town Board and other community leaders decided it would be a good place for a park. The town park was developed with several activities including softball fields, walking, shelter houses and fishing in mind according to Saxon. He said there was some tax money that went into developing that park and there was also a campaign to raise money through voluntary contributions to support that park. He observed that that's been over 30 years and you see the support that still exists for the activities that go on down there.

He closed by stating that trout fishing and general fishing were part of that original plan and the community supported it then and the community supports it today.

Tracy Morgan, Brookville, IN

Morgan acknowledged that she doesn't fish, but explained that she was speaking on behalf of friends and family that do fish. She noted that there's been a lot of discussion on the Trout Unlimited message board about whether it's pure bred or hybrid trout that are being stocked, whether they can reproduce, etc. She explained that she went to the hatchery and talked to two people who confirmed that they release 3,000 brown trout every year and have been stocking them for the past four or five years. She stated that she also learned that the fish are only 9 – 10" at the time they are stocked. She concluded

that apparently the fish are holding over and they are growing because these trout cannot reproduce.

Morgan also advised that the two hatchery employees also volunteered to her that tailwaters, in general, not just the Brookville tailwaters, are the worst place to expect a hatchery to be because of the fluctuations of water in the River. She noted that this is something that needs to be considered. We're arguing over a fishery that may not be able to happen no matter what we do because it is a flood control dam. Water has to be released or cut back based on that.

Jerry Harnishferger, Brookville, IN

Harnishferger noted that it was not fishing that got Branson all this notoriety, stating, "country music made Branson."

Chairman Early closed the meeting stating the hope that once this is all over that everyone can co-exist and that this doesn't drive a wedge so deep. We all want to use those waters; we're all citizens of Indiana. What's before us is to do what's in the best interest of the public. As we deal with rule changes we take biology into consideration, we take the cost of things into consideration but there are also social issues. We appreciate you coming out today. We would not be interested in moving any changes forward unless the community and Trout Unlimited were working on together. I guess the point is that we haven't made any recommendations yet, but it is not likely that we will recommend any changes to these regulations now.

Certainly you've co-existed to date and we hope you can continue to do so.